TEACHING AND LEARNING ETHICS

Perspectives on ethics

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In his recent paper about understanding ethical issues, Boyd suggests that traditional approaches based on principles or people are understood better in terms of perspectives, especially the perspective-based approach of hermeneutics, which he uses for conversation rather than controversy. However, we find that Boyd's undefined contrast between conversation and controversy does not point to any improvement in communication: disputes occur during conversation and controversy may be conducted in gentle tones. We agree with Boyd, that being prepared to listen and learn are excellent attitudes, but his vague attempts to establish these and similar virtues in hermeneutic theory are not plausible. Additionally, the current controversy about the use of human embryos in stem cell therapy research shows Boyd missing the opportunity to illustrate how conversation would improve understanding.

The main question here is, how should doctors morally relate to their patients? In his paper in the August issue Boyd[1] seeks a model to deliver a sensitive and egalitarian relationship between doctors and patients rather than an authoritarian one; and he sees the hermeneutic approach as providing the conversational vehicle for this. His later discussion of human embryos in stem cell therapy research may be seen as a critical case in testing this approach.

The concept of prejudice forms a central role in Boyd's account, but his failure to define "prejudice" hinders his analysis. It may be helpful first to distinguish what we may call moral prejudices and epistemological prejudices; the moral prejudices present us with understandable differences and the epistemological prejudices with incomprehension. To explain this, perhaps we can all understand the difference between a social prejudice, which one may share—for example, John is really doing this for the money—and where the prejudice reflects a belief which may be quite foreign—for example, God made the world some 6000 years ago. An extrapolation from epistemological prejudice is provided by Wittgenstein's idea that "If a lion spoke English we would not understand it"—that is, sometimes exchanging words does not bring understanding. A conventional stereotype of this is the Martian's chatter.

Using the hermeneutic approach, Boyd advocates an alternative to controversy, a "sustained public conversation between many diverse perspectives, each prepared to learn from others and committed to seeking a common mind on the question in hand" (p 486). He regards traditional moral argument as failing and offers a method of inclusive conversation intended to bring participants together, but we find that his conversations are equally controversies.

To get to the heart of moral discourse, Boyd advocates a "perspectives based approach … (that focuses) attention not on the act or the agent, but the case" (p 483), which may be understood as the confrontation of the whole situation. Expressed in ordinary language, the view is that the different perspectives on a situation would each contain personal interpretations, which through friendly conversations would be cleansed of social prejudices and would thus form a basis for moral agreement. But rather deeper in his text and confusingly, a social view of prejudice is being replaced by an epistemological one, rather like Wittgenstein's lion example—that is, Boyd relies on G H Gadamer's[2] general epistemological theory that different cultures produce different frameworks of prejudice, which provide isolated havens for knowledge. On this view, then, individual clashes of culture give, according to Gadamer, "fusions of horizons" (p 484)—that is, a blend of foreign prejudices that brings individual perspectives into relief and allows better understanding for all. A conceptual difficulty here that Boyd does not discuss is that in his context, doctor and patient share the same culture, and social interaction occurs rather than clashes of foreign cultures.

APPROACHES TO VALUE

We have already alluded to the idea that Boyd's case is the empirical reality in which men dispute what it is. He sees principle-based ethics and person-based ethics as only part of the story in understanding what the moral elements are in any particular case, although part of the justification for this conclusion is that a perspective-based approach contains all the interpretations of the case, including the principle-based and person-based analyses of moral conduct. In other words, there is an element of tautology underpinning Boyd's conclusion that "Approaches based on principles or persons are among the relevant perspectives" (p 483). His conclusion does not show that an approach through perspectives is a superior or an effective method to analyse moral discourse. One might just as well say that because authors and poets are among the members of society that society produces such works of art.

It may well be that "Cultures differ in what they perceive to be moral problems, and about the right way to resolve those that they do perceive" (p 483), but does this justify Boyd in following Gadamer with "All of us, if you want to put this at its strongest, are prejudiced, one way or

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another'' (p 483)? he appeals to Gadamer, ''Without it, he says, we would never understand anything at all'' (p 483), but does this mean that the newborn baby is prejudiced when his name is called? Gadamer thinks so—he sees prejudice as necessary for understanding, but it is important here to see that human prejudice is social property in one culture or another; prejudices float in communities: the difficulty is not in finding them in the deep recesses of the human mind, but rather of using social ideas to deal with them.

Prejudice is not defined by Boyd, although one sees that my perspective may be different from your perspective and that this gives rise to the possibility that I do not understand your perspective or in some way that I cannot understand it. One's culture may limit one's understanding of something or make the required understanding impossible; consider the concept of ''counting up to forty'' for different primitive groups. The point here is to give an empirical account of communication, but we have to be aware that metaphysical theories may mislead—for example, with Gadamer's phrase ''fusion of horizons'' (p 484) we see the tautologous character of his theory, that is, empirically, the horizons limit understanding; but when they ''fuse'' we have the tautologous ''we learn what we are taught''. Additionally, Gadamer relies on ''the tyranny of hidden prejudices'' (p 483), indicating that communication may be impossible. However, a lack of culture may be sufficient for this, rather than a presence of hidden prejudices.

THINKING ABOUT ISSUES

Gadamer's essentially solipsistic view of the intellect starts with prejudice and may not be able to escape from it. His view is reminiscent of a Freudian perspective where hidden forces guide men and women. Following Gadamer, Boyd suggests not letting ''our prejudices run too far ahead and overwhelm what the other person is actually saying …'' (p 483), but this picture does not offer a method of dissolving prejudice. One may be inclined to ask what prejudice Gadamer is under when he says ''if we think we are not prejudiced, while remaining under the tyranny of hidden prejudices''' (p 483). We can see a similar difficulty where the traditional solipsist's lack of confidence in his perceptions is simultaneously replaced by hidden mechanisms in his mind, which produce perceptions. One conceptual confusion is exchanged for a ghostly machine in the mind. Gadamer's hidden prejudices are similarly hidden from the thinker: we have a metaphysical theory without proof. If we accept this theory, we would never be in the position of knowing when all the relevant prejudices in an individual's mind had been exposed: the better approach is to deal with assumptions or prejudices as they are recognised. This need not be entirely arbitrary, for social prejudice occurs in a context of particular rules—for example, prejudice against a man is a judgement or action in which his rights are disregarded. Of course, many prejudices are not relevant in particular circumstances, and the logic of the situation exposes others.

The lack of clarity in what a prejudice is taken to be is seen in Boyd's ''a doctor is professionally prejudiced in favour of a diagnosis: but for the doctor to think of that, then, as a prejudice is not very helpful'' (p 483). We see here a misunderstanding of Gadamer's idea of necessary prejudice as a mental framework clashing with Boyd's idea of an accidental social prejudice. To correct Boyd, we need simply to replace ''prejudiced'' with ''trained'' to see its sense, but the conceptual confusion remains. Boyd admires Gadamer's idea that builds on ''two friends seeking to come to a common mind about something … (as) an appropriate model for medical ethics'' (p 484), which ''does not entail moral relativism'' (p 484), although he does not explain why this is not a case of relativism, for as he has said ''Cultures differ in what they perceive to be moral problems'' (p 483). Certainly one can see that one does not need the theoretical underpinning Boyd has borrowed from Gadamer, to accept in the medical situation the need for sensitivity to expressed opinions: one needs to listen carefully, and without unjustified assumptions.

There is an idea offered by Boyd that multiculturalism reduces prejudice, when ''many people's prejudices are formed not by one, but by several traditions'' (p 484), but one sees that some traditions dominate and the religious or political traditions may form the familial, educational or professional perspectives. Of course, in a culture enveloping a variety of different traditions, there may be more possibilities for individuals to change from one to another, but this may be more a changing of prejudices their evaporation. Boyd moves from such an idea of dynamic in society to ''a tradition may have to express itself differently if it is to remain true to itself'' (p 484). Paternalistic medicine may then change to '''patient choice' and 'concordance' … (such change) is explored more readily through questions and conversations than in the thrust and counterthrust of controversy'' (p 484). One can see that such exploration may involve intellectual argument or persuasion, but each of these may be conducted in a variety of styles—that is, this example may not be a good model to decide that conversation is better than controversy. Friendliness is a virtue, of course, but here one does need to separate the ''bedside manner of the doctor'' from the intellectual approach to intellectual problems where it is not the person which is confronted but the ideas or arguments.

Boyd in his acceptance of hermeneutics, here understood as ''the interpretation of behaviour, speech, and institutions'' (p 483), believes that in the appropriate situation ''we hold in check our own prejudices'' (p 484). But clearly this is not easy, he has not done it in his reliance on Gadamer; and his ''conversation'' is quite prejudiced in seeking to undermine moral resistance to the use of human embryos in stem cell research by impressing his ''hermeneutic'' interpretation on the ideas of respect for life and the sanctity of life. With some flexibility, Boyd accepts that sometimes ''controversy is needed to puncture a complacent consensus'' (p 484), but on the controversy ''whether the use of embryos is really necessary for stem cell therapy research'' (p 484), he resists controversy: he reminds us that ''the dominant scientific view is that it is'' (p 484). This is a technically difficult question which is compounded by a possible scientific ideology or paradigm which may be reflected in Boyd's perspective. Certainly, the assumptions underlying perspectives on this research are better exposed, but contrary assumptions in different camps may not be easily abandoned. We see that Boyd has avoided a discussion of such difficulty around a ''dominant scientific view'' (p 484) by closing it with ''If that is correct …'' (p 484).

THE VALUE OF LIFE

Rather oddly based on his personal experience of the German word ''Achtung'', Boyd sees ''respect'' as meaning ''wariness and wonder'' (p 485), which does not really capture what Kant was after with the principle of respect for persons as ends in themselves. ''What about 'sanctity'?'' (p 485). Quoting Gabriel Marcel, Boyd seems to agree with him that the sanctity of life means '''I really love life', or 'I don't love life anymore'' (p 485) so that it ''implies a basic and as it were inarticulated reference to *my life* …'' (p 485). His conclusion is that sanctity refers ''rather to the wondering way in which one living being may recognise and respond to another'' (p 485). He does qualify his view by ''If this interpretation is correct … '' (p 485) although he does not say whether it is his interpretation or Marcel's he is referring to. What Kant was saying with ''respect for persons as ends in themselves'' is that one ought not to use people for ends

they do not share—that is, one ought not to treat them as means only. Also, the sanctity of life is an idea that is at the centre of many religions—that is, the idea that human life is sacred and inviolable. The context of learning from conversations about diverse perspectives on stem cell research should have encouraged Boyd to bring these views into focus.

Boyd believes that respect for the human embryo occurs if it ''is in some sense a 'you' rather than an 'it'' (p 485); it would then be for him ''an end in itself'' (p 485). His criterion or test for this ''would be *to actually greet* each embryo in vitro as a potential person'' (p 485). But, he thinks, this would be problematic, for ''the majority of pre-implantation embryos, in the wisdom of nature, are not potential persons'' (p 485). Obviously, Boyd holds that some embryos would be persons and some not; but his test to distinguish them is not usable. The criterion of person, actually greeting that embryo in vitro which would become a person, would, of course, actually apply to those that were in fact potential persons but not to the others, and one may not know in advance which were which. Thus, the criterion of actually greeting each potential person from an embryo in vitro seems vacuous: it offers a distinction without a difference.

Contrary to Boyd's view, it is worthwhile to notice that the injunctions ''respect for life'' and ''the sanctity of life'' are not applied only to the researchers; they apply also to persons who donate spare eggs and embryos for research. Boyd's conclusion that this donation ''specifically precludes their being potential persons'' (p 485) does not follow for some of the embryos which may have been potential persons. But perhaps more important in this context, the idea of ''the sanctity of life'' raises more general questions which are not so easily overlooked. Boyd considers that it may be ''the scientific manipulation of human life itself that offends against 'sanctity'' (p 485), where sanctity is taken to mean ''reference to *my life*'' (p 485). However, regarding this definition of ''sanctity'', it would seem that if Boyd accepts such scientific manipulation as acceptable, then it does not offend against the sanctity of life. He then extends his interpretation of sanctity to refer to the majority view which accepts taking the lives of animals. But the idea of sanctity of life had not excluded them, and to refer to the European parliament's acceptance of safety testing on animals is an appeal to authority rather than argument. Some prejudices are difficult to get rid of.

DIALOGUES ABOUT MORALITY

After his attempts to undermine opposition to the use of human embryos in stem cell therapy research, Boyd says ''the ethical problems they raise are not helped by being debated within the win or lose constraints of controversy'' (p 485). However, he does not explain what it is about this controversy that he sees as unsuitable. In debating the use of embryos, Boyd favours the ''nuanced but necessary terms such as Marcel's 'basic … reference to *my life* …' (rather than) whether or not they are biologically human'' (p 485). But he does not give an account of why he thinks Marcel's use of terms is nuanced or necessary and why the question of whether embryos are biologically human is inappropriate. However, he sees ''the most morally challenging issue—that of the *inevitably* tragic character of many choices *necessarily* involved in biomedical progress'' (p 485). If he had talked of the inevitably tragic character of many choices necessarily involved in human life, this would have struck a more powerful note for we see his contrast is a prejudice in favour of a particular method to gain biomedical progress. It is useful to consider here that one does not have to travel on a particular route to a particular place; it would be most unusual if in the world there were only one method of achieving something. Perhaps a conversation could lead Boyd to consider other perspectives on biomedical progress in this field.

In delving into the human experience and puzzling over certain moral problems, Boyd says ''To invent appropriate answers therefore is a task that practical wisdom can accomplish only through sustained public conversation between many diverse perspectives, each prepared to learn from the others, and committed to seeking a common mind on the question in hand'' (p 486). Apart from the conceptual difficulty that the abstract concept ''practical wisdom'' has been anthropomorphised into the agent for progress, it is important to notice here that the common mind may not be the right mind; democracy may not be a perfect substitute for practical wisdom.

But equally important, if one is going to put any weight on theoretical considerations, is that they are at least plausible. Boyd has a tendency to place exaggerated faith in individuals who do not deserve the honour. Relying on Ricoeur,[3] he says ''When a good ethical intention is blocked by a right moral rule … we need to know how far the particular moral rule is applicable, not only to the case in hand, but also under the universal Golden Rule—do not do to others what you would not have them do to you'' (p 486). It is clear that the Golden Rule is expressed as a form of individual desire rather than a moral standard, and as such would not apply when a stronger desire opposes it. What we find is that this so-called Golden Rule is based on an assumption that one is comparing only virtuous actions; an outcome of this is that the ''rule'' cannot distinguish virtuous from vicious actions. We can see that the ''rule'' fails when applied to the tough robber who is prepared to take the risk of being robbed by weaklings, or when applied to the sadistic boxer who is more proficient than his neighbours. We may even remember the old example used to undermine the Golden Rule, that of the homosexual individual in a heterosexual society. The Golden Rule assumes equal individual powers in contrary actions: it allows equal exchanges, but it has nothing to say about what ought to be done. Interestingly, in the context of stem cell research, the ''rule'' may be seen as an appeal by an embryo to survive—that is, the Golden Rule does not provide a basis for a decision mechanism in moral conflict.

We are coming nearer an idea of what the point of moral discourse is. Boyd mentions practical wisdom and inventing or discovering ''appropriate answers … (and) seeking a common mind on the question in hand'' (p 486), and we remember we are dealing with complex questions here. One might, even in the course of one's cogitations, appeal to moral ideas in developing an ''appropriate'' answer to the question in hand. An important point here is that when one has that ''answer'', the time for relevance of moral ideas regarding a particular question is not over: it is not the ''common mind'' that settles the matter, even if it is the result of ''a slow boring of hard planks'' (p 486): the shepherd does not leave the flock.

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